

UNITED STATES DISTRICT COURT

Northern District of California

MALINKA TACUMA WADE MOYE

Plaintiff(s),

v.

LYDIA DIANNE BACA

Defendant(s).

No. C 09-03902 MEJ

**ORDER DIRECTING PLAINTIFF TO
FILE CONSENT/DECLINATION
FORM**

Pending before the Court is Plaintiff's in forma pauperis application. Upon review of the record in this action, the Court notes that Plaintiff has not filed a written consent to Magistrate Judge James' jurisdiction. This civil case was randomly assigned to Magistrate Judge James for all purposes including trial. In accordance with Title 28, U.S.C. § 636(c), the magistrate judges of this district court are designated to conduct any and all proceedings in a civil case, including trial and entry of final judgment, upon the consent of the parties. An appeal from a judgment entered by Magistrate Judge James may be taken directly to the United States Court of Appeals for the Ninth Circuit in the same manner as an appeal from any other judgment of a district court.

You have the right to have your case assigned to a United States District Judge for trial and disposition. Accordingly, Plaintiff shall inform the Court, by way of the enclosed form, whether Plaintiff consents to Magistrate Judge James' jurisdiction or requests reassignment to a United States District Judge for trial. The consent/declination form shall be filed by than September 17, 2009.

IT IS SO ORDERED.

Dated: September 2, 2009



Maria-Elena Jones
Chief United States Magistrate Judge

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

MALINKA TACUMA WADE MOYE

No. C 09-03902 MEJ

Plaintiff(s),

vs.

LYDIA DIANNE BACA

Defendant(s).

CONSENT TO PROCEED BEFORE A UNITED STATES MAGISTRATE JUDGE

In accordance with the provisions of 18 U.S.C. § 636(c), the undersigned party hereby consents to have a United States Magistrate Judge conduct any and all further proceedings in this case, including trial, and order the entry of final judgment, and voluntarily waives the right to proceed before a United States District Judge.

Dated: _____

Signed by: _____

Counsel for: _____

REQUEST FOR REASSIGNMENT TO A UNITED STATES DISTRICT JUDGE

The undersigned party hereby declines to consent to the assignment of this case to a United States Magistrate Judge for trial and disposition, and hereby requests the reassignment of this case to a United States District Judge.

Dated: _____

Signed by: _____

Counsel for: _____

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

MALINKA TACUMA WADE MOYE

Case Number: 09-03902 MEJ

Plaintiff,

CERTIFICATE OF SERVICE

v.

LYDIA DIANNE BACA

Defendant.

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on September 2, 2009, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Malinka Tacuma Wade Moye
Hurdle Estate
4042 Parson Street
San Francisco, CA 94118

Dated: September 2, 2009

Richard W. Wieking, Clerk
By: Brenda Tolbert, Deputy Clerk